

IN THE DRAWINGS:

Please replace sheets 1/2 and 2/2 with the attached formal drawings being Replacement Sheets 1/2 and 2/2 showing FIG. 1-2, respectively.

REMARKS

Claims 3 and 9-10 are amended. Claims 3-18 are pending.

The amendments to the figures, specification, and claims are based on the application as originally filed, so it is respectfully submitted that no new matter has been added.

In the office action, it is stated that the drawings filed November 8, 2004 are acceptable except for informalities noted on the Notice of Draftsman's Patent Drawing Review in Form PTO-948.

Formal drawings having FIGS. 1-2 are submitted herewith.

It is respectfully submitted that reference to FIGS. 3-20 in the Notice of Draftsman's Patent Drawing Review in Form PTO-948 should be disregarded, since all previous drawings filed in the present application were canceled as per the amendment filed November 8, 2004, and the current drawings having FIGS. 1-2 are the only drawings in the present application.

Accordingly, reconsideration and withdrawal of the objections to the drawings are respectfully requested.

In the office action, the amendment filed November 8, 2004 was objected to under 35 U.S.C. § 132 for allegedly introducing new matter, in particular in connection with paragraphs [0050] and [0051] in the filed substitute specification of November 8, 2004.

As per the request of the examiner, the following are hereby submitted:

1. a copy of the original Page 13 of 16 of the application as originally filed which is marked-up to remove old paragraph number [0041] and adding the new paragraph in the substitute specification having new paragraph number [0050] on pages 16-17 of the substitute specification, with the text listed on original Page 13 of 16 being typewritten and double spaced for legibility;

2. new Page 13A of 16 added to the application as originally filed to serve as a marked-up version of the application as originally filed to add the new paragraph having new paragraph number [0051] on page 17 of the substitute specification, with the text listed on “original” Page 13A of 16 being typewritten and double spaced for legibility;
3. a copy of the application as originally filed with line numbers added for accurately referencing the location of text in the original application;
4. copies of the paragraphs [0050] and [0051], annotated in bold text, with reference to the above-mentioned added line numbers in the original application;
5. copies of the claims 3-18 as added in the amendment of November 8, 2004, annotated in bold text, with reference to the above-mentioned added line numbers in the original application; and
6. marked-up copies of the formal drawings, annotated in red text, with reference to the above-mentioned added line numbers in the original application.

It is respectfully submitted that the bold and red annotations identify at least one relation of such elements, steps, and features in the substitute specification, added paragraphs [0050] and [0051], new claims 3-18, and drawings having FIGS. 1-2, to the indicated text in the application as originally filed.

Referring to the pages and added line numbers of the application as originally filed, it is respectfully submitted that the bold text and red text in the annotated paragraphs [0050] and [0051], claims 3-18, and formal drawings are clearly and sufficiently supported in the application as originally filed.

For example, the first line of paragraph [0050] recites “for searching a computer network” and the last line of paragraph [0050] recites “The online device 12 may be a computer and/or an interactive television”, each of which is clearly supported on at least page 2 of 16, lines 15-17 of the original application which recites “Internet search engine ... a customer access or is delivered a web page with her computer or other online devise (sic “device”)”, as well as on at least page 14 of 16, lines 1-3 of the original application which recites “the ability to search for brand name companies’ URL addresses exclusively within the Internet and interactive television environments”.

Similarly, element 12 labeled “Online Device” in FIG. 1 and step 30 in FIG. 2 reciting an “on-line device” are similarly supported on at least page 2 of 16, lines 15-17 and on at least page 14 of 16, lines 1-3 of the original application.

Furthermore, the recitation in claims 6, 14, and 18 of “interactive television” are also supported by at least page 14 of 16, lines 1-3 of the original application.

It is respectfully submitted that the attached annotations which identify support in the application as originally filed are not necessarily exhaustive, and so additional support may be found in the application as originally filed for various elements, steps, and features recited in the substitute specification with new drawings in FIGS. 1-2.

Accordingly, it is respectfully submitted that paragraphs [0050] and [0051], the added claims 3-18, and the drawings in FIGS. 1-2, and further that the entire substitute specification previously submitted on November 8, 2004 do not add new matter, but instead are based on the application as originally filed.

Therefore, reconsideration and withdrawal of the objection of the amendment filed November 8, 2004 under 35 U.S.C. § 132 are respectfully requested.

In the office action, claims 9-10 were objected to under 35 U.S.C. § 112, second paragraph. Claims 9-10 have been amended to clarify the language and to overcome the objection. In particular, amended claims 9-10 recite “accessing an information webpage associated with the matching brand name”, which is accurate, definitive, and clearly supported in the application as originally filed, for example, in old paragraph [0007] on page 3 of 16, lines 18-24 of the original application, also recited in new paragraph [0011] on page 4 of the substitute specification, which at least recites using the URL to access a page which “presents ... information”, and in particular, the information presented may be “more frequently requested basic information [including] special promotions, store locations, store hours, phone numbers, current sales, etc.”.

Accordingly, reconsideration and withdrawal of the objection to claims 9-10 are respectfully requested.

In the office action, claims 3-5, 7-9, 11, 13, and 15-17 were rejected under 35 U.S.C. § 102(a) in view of a group of five articles and websites referred to as “Thomas Register”; and claims 6, 10, 14, and 18 were rejected under 35 U.S.C. § 103(a) in view of the Thomas Register and Official Notice.

It is respectfully submitted that claims 3-18 are patentable over the Thomas Register information cited by the examiner, since claims 3-18 recite searching only a plurality of brand names.

The Thomas Register, also referred to as ThomasNet, does not disclose or suggest only searching a plurality of brand names, as in the present invention.

On the contrary, the Thomas Register or ThomasNet specifically teaches away from the present invention, since Thomas Register (1), page 2 of 3, fourth paragraph specifically states that “In addition to being able to search by keyword and product attributes, uses can also search by functionality” from a database of original equipment manufacture (OEM) information such as product catalogs.

It is respectfully submitted that a keyword is not necessarily limited to a brand name, as in the present invention. It is also respectfully submitted that product attributes, not being limited to the name of the product, may be descriptive of the product, and so may not be trademarked and so may not be a brand name. It is further respectfully submitted that the functionality of a product would definitely be descriptive of the product, and thus cannot be trademarked, and so cannot be a brand name.

In fact, Thomas Register/ThomasNet specifically requires such unlimited capability of searching beyond keywords and product attributes, since it states, at Thomas Register (1), page 2 of 3, fourth paragraph, that searching “by functionally [is] a feature that sets SoluSource [a feature of ThomasNet] apart from the competition. This revolutionary system compares and searches the database for any and all products that have similar functions as the product(s) selected” (emphasis added).

For example, it is respectfully submitted that the brand name “WINDOWS” for computer software of “MICROSOFT CORPORATION” may be interpreted by ThomasNet as functionality and so ThomasNet may search for OEM products having glass doors, openings, or peepholes, all of which have the functionality of a “window” but none of which may have any connection to “MICROSOFT WINDOWS”.

Accordingly, claims 3-18 are not anticipated by the Thomas Register.

In addition, claims 3-18 are not obvious in view of the Thomas Register, since one having ordinary skill in the art would not look the Thomas Register/ThomasNet for the claimed invention, since the Thomas Register teaches away from the purposely limited searching capabilities of the present invention which focuses only and exclusively on brand names.

There are numerous other differences between the present invention and the Thomas Register/ThomasNet system. For example, ThomasNet and the present invention are two very different Internet applications at the core of which are business models and database designs that are unlike in many ways. ThomasNet is a product information and vendor catalog database, while the present invention uses a URL database. ThomasNet is product-focused whereas the present invention is brand-focused.

The target audiences of ThomasNet and the present invention vary greatly too. The present invention is meant for a mass consuming public who want to find a specific brand web site or a list of brand sites within a product category. ThomasNet is aimed at reaching mechanical design engineers who are looking for specific industrial and manufacturing product information and CAD drawings. ThomasNet users want a list of many products to review, while the user of the present invention wants only a URL to click on associated with the desired brands. These differences in the data, content volume, and users unto themselves require a unique approach to fulfilling and satisfying the goals of the end users of the present invention, and are why the two search applications of ThomasNet and the present invention are so different and should not be construed as the same.

While there are some similarities between the two websites used by ThomasNet and the portal of the present invention, the reasons one would use one website over the other and the end results each delivers are again greatly different. Similar to other websites, ThomasNet delivers

specialized content, while the present invention delivers content is meant for everyone. Similar to other search engines, ThomasNet duplicates their returned search pages, while the present invention has been developed to assemble a search result with less items on the page, in fact preferably with just a homepage URL, delivered one at a time for virtually all brand name companies. While it may seem like the present invention differs from ThomasNet only on the surface, it is these surface variants that demand a unique infrastructure and methodology. A more thorough comparison of ThomasNet and the present invention follows:

1. BRANDS MUST REGISTER ON THOMASNET SITE ON THEIR OWN

Brand or retail and wholesale company names must be registered on ThomasNet by the companies themselves. On the contrary, brand name companies may be listed to be searchable by the present invention without having to register on their own. In other words, the present invention takes the action to include virtually all brand name companies in numerous product categories in their database, as opposed to brands having to know to go online and take action themselves with the ThomasNet system. It is fair to say that enough companies will not know about the ThomasNet website in order to register, thereby not providing a full and complete list of brands name companies. Also, unlike ThomasNet, the present invention may not necessarily list local or national companies that are not trademarked.

This is important because registering is a form of advertising in that it is the first step and some companies will chose not to spend their marketing dollars with ThomasNet. Therefore, a customer using ThomasNet will not receive a full and complete list of brands or companies and consequently not receive all the product or buying opportunities that exist.

So in that sense ThomasNet operates like the many shopping malls online today. They only include the companies that have chosen to register and/or advertise with them. With this approach, the consumer will still have to browse around on the Internet on their own to find the omitted shopping alternatives. The present invention strives to make consumers feel that they will be able to access virtually all the brand name companies within a general grouping of products not only those that register or advertise with its web site. While this may seem like an obvious way in which to find a company's URL, no one has put forth a business model that supports this approach until now.

2. THOMASNET BUSINESS MODEL IS BASED ON BRANDS COMPETING AGAINST EACH OTHER

As with other search engines, ThomasNet's business model is built on brand name companies advertising with ThomasNet in order to rank high on their search list creating competition with other brands and companies listed there. Companies competing for space and the attention of the user on a returned search page is another problem the present invention is trying to eliminate for advertisers as well. Advertisers today may have purchased a keyword on Yahoo, for example, and their company name may appear high in the list, maybe even at Number One. At the same time, one of their key competitors could appear in the top or right hand column of the web page because they purchased ad space.

The present invention uniquely resolves this dilemma because the basic returned search page only carries the one brand URL and the only company who can buy space on that page is that same brand name company. When a brand buys this additional space to include shopping information, this is referred to as an enhanced URL page. Therefore, consumers' shopping

opportunities and alternatives are not limited by the advertising decisions made by certain marketing companies.

3. THOMASNET BRAND NAMES APPEAR IN A LIST WITH
OTHER COMPANY NAMES AND WITH OR WITHOUT A URL

On the portal website of the present invention, every brand name may appear by itself on a single page with the brand's URL and hotlink so that users can quickly get to the company's website. That is the main purpose of the present invention. On ThomasNet, a basic listing, created only after the company registers with the website, does not provide the URL.

Another problem which the present invention is trying to resolve is the often confusing and unsatisfactory returned search list that requires the user to read and hunt through the pages of listings to find the one that is most relevant. ThomasNet's pages resemble these typical search listings where too much information is returned to the user. The present invention uses a non-list; that is, a simple display of the URL, which is less confusing and tedious for the user and allows the brand company to benefit from making a more positive and uncluttered brand impression. This limitation to one brand a page is what makes the present invention unique and stand out among other Internet search providers.

4. WITH THOMASNET, A BRAND NAME AND PRODUCT
CATEGORY CANNOT BE SEARCHED TOGETHER

The present invention also hopes to resolve the situation where there might be more than one brand name company with the exact same name or one so similar or so close in spelling that it becomes frustrating for the consumer to locate the company's correct URL. For this reason, the database allows for spelling errors and for users to search for a brand name company and a

specific product category together. As a result, the correct URL can be delivered with minimal errors. For example, if a user wanted to shop for faucets and just put “Delta” in the brand search box in the portal of the present invention, she would get www.delta.com returned which is the URL for the airline. If she entered a product in the category box next to the brand name, such as “faucet”, she would receive www.deltafaucet.com as the URL. It is feasible that both URL’s may be returned or any others that have Delta in the URL, but because the present invention uses a database list which is relatively small, only a few URL’s would be offered that could easily and quickly be scanned. On ThomasNet, you can enter either a company and brand name or a product category but not the two together. The user will receive a long list of duplicative names that he must once again read through until the correct one can be identified.

While one can search by product and brand name on both sites, they can’t be searched together on ThomasNet. The latter features more general product categories within their industrial equipment manufacturing industry and only those relevant to that industry. The present invention incorporates more precise product names as their keywords for search. The ThomasNet user wants product information compiled by ThomasNet on its site, while the user of the present invention wants a URL that will take her off the portal website of the present invention to a brand website for product information and more.

5. THOMASNET ATTEMPTS TO BLEND UNPAID DATA WITH ADVERTISING CONTENT

A template webpage of the present invention has a design which differentiates between data and advertising. Mainly, it promises brand companies an even playing field and doesn’t send the user pages with some listings more weighted than others because those are listings with advertising supplemented. ThomasNet paid advertising gives the company more data space and

a higher up position in the search list. Not only is the user then looking at a page where some unregistered brands are missing, but where some have more advantage and visual emphasis creating than others. Because each brand gets their own separate page on the portal of the present invention, there is less confusion where to look for the consumer.

The actual design of the portal webpage of the present invention is one of its unique factors. It is set up in such a way that it is easy to read and doesn't require taking time to discern what is content and what is advertising. Because the user is primarily looking for a brand URL, space on the page need not be taken up with a content abstract, company location, company profile, etc. The URL sits in the middle of the portal webpage of the present invention with enough margins around it so that the eye is pulled to the center. The quadrants surrounding the URL can be filled with hotlinks to other most frequently accessed consumer information, as in the enhanced URL page. This aspect helps resolve the typical search listing problem of returning too much data.

6. THOMASNET IS A CONTENT DEVELOPER AND PROVIDER

ThomasNet creates all kinds of product information, including catalogs, alternative solutions options, design solutions, and E-commerce applications. The present invention only provides URLs. An alternative circumstance of the present invention where there would be more on the page is if that a brand name company purchased space on their already existing page in order to highlight other relevant information for the consumer. These messages that appear on the enhanced URL page of the present invention are created by the brand companies marketing groups themselves with a template provided by the present invention. ThomasNet has database engineers who create their information and continue to find new options to offer their users.

Again, the present invention supports the “less is more” theory and only represents brand name URL’s.

Accordingly, one having ordinary skill in the art would not look to the Thomas Register/ThomasNet cited references for the elements, steps, and features of the present invention, so claims 3-18 of the present invention are patentable, so reconsideration and withdrawal of the rejection of claims 3-18 are respectfully requested.

It is respectfully submitted that the Official Notice does not cure the deficiencies of the Thomas Register/ThomasNet cited references, since the Official Notice is directed toward additional information such as special promotions, store locations, store hours, phone numbers, current sales, etc. The Official Notice does not limit the Thomas Register/ThomasNet to searching only brand names, as in the present invention, and in fact the Thomas Register/ThomasNet cannot be limited since the Thomas Register/ThomasNet specifically teaches that functionality and other product attributes are available to be searched.

Therefore, claims 3-18 are patentable over the Thomas Register/ThomasNet and/or the Official Notice, individually or in combination, so reconsideration and withdrawal of the rejections of claims 3-18 are respectfully requested.

Accordingly, entry and approval of the present amendment and allowance of all pending claims are respectfully requested.

In case of any deficiencies in fees by the filing of the present amendment, the Commissioner is hereby authorized to charge such deficiencies in fees to Deposit Account Number 01-0035.

Respectfully submitted,



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be a means for the incubators to exit increasing the financial options and fallback strategies.

[0041]

[0050] As illustrated in the schematic in FIG. 1, the present invention includes a system 10 for searching a computer network for a product associated with a brand name, with the system 10 including an online device 12 for accessing a portal 14 to a predetermined website on the computer network 16, such as the Internet or an online service, and for receiving from a user an inputted query message 18 into the online device 12, in which the query message approximates a brand name, and in which the brand name is selected from the group consisting of a company name of a desired company and a product line name of a specific product line. The system 10 also includes means 20 associated with the website for searching only a plurality 22 of brand names for a first match of the query message with a matching brand name. The online device 12 outputs a first uniform resource locator (URL) address 24 associated with the matching brand name. The online device 12, responsive to the first URL address 24, accesses an Internet-based website 26 using the first URL address 24 associated with the matching brand name. The online device 12 may be a computer and/or an interactive television.

[0051] As illustrated in the flowchart in FIG. 2, the present invention also includes a method 28, using the system 10 and components thereof in FIG. 1, for searching the computer network 16 for a product associated with a brand name, with the method having the steps of: inputting in step 30 the query message 18 into the online device 12 accessing the portal 14 to the predetermined website, in which the query message approximates the brand name associated with the product, and in which the brand name is selected from the group consisting of a company name of a desired company and a product line name of a specific product line; searching in step 32 only the plurality 22 of brand names for a first match of the query message 18 with a matching brand name; and outputting in step 34 the first URL address 24 associated with the matching brand name. The method may also include the step 36 of accessing an Internet-based website using the first URL address 24 associated with the matching brand name. The method 28 may be performed using the online device 12 which includes a computer and/or an interactive television.